



**STATE OF WASHINGTON**  
**OFFICE OF THE STATE HUMAN RESOURCES DIRECTOR**

DIRECTOR'S REVIEW PROGRAM  
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May 30, 2012

TO: Teresa Parsons, SPHR  
Director's Review Program Supervisor

FROM: Kris Brophy, SPHR  
Director's Review Program Investigator

SUBJECT: Mark Kepler v. Department of Corrections (DOC)  
Allocation Review Request ALLO-11-114

This position review was based on the work performed for the twelve-month period prior to April 27, 2011, the date the Stafford Creek Corrections Center (SCCC) HR office received Mr. Kepler's request for a position review. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by both parties during the review telephone conference. Based on my review and analysis of Mr. Kepler's assigned duties and responsibilities, I conclude his position is properly allocated to the Electronics Technician classification.

**Background**

On April 27, 2011, Stafford Creek Correctional Center Human Resources (SCCC-HR) received Mr. Kepler's Position Review Request (PRR) form, requesting that his Electronics Technician position be reallocated to the Electronics Technician 4 classification (Exhibit B-1).

By memorandum dated November 3, 2011, DOC HR notified Mr. Kepler that his position was properly allocated to the Electronics Technician classification (Exhibit B-5).

On November 30, 2011, the Office of State Human Resources Director received Mr. Kepler's letter appealing DOC's allocation determination (Exhibit A-1).

I conducted a Director's review telephone conference with the parties on May 9, 2012. Present during the conference were Mark Kepler; Ms. Serena Davis, Business Representative, Teamsters 117, and Tina Cooley, Human Resource Consultant - DOC.

**Rationale for Director's Determination**

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

### Duties and Responsibilities

Mr. Kepler installs, maintains, repairs and tests electronic communication, Simplex fire alarm, intercom, Siemens HVAC Direct Digital Control (DDC), surveillance, and other electronic systems and equipment at SCCC. The majority of Mr. Kepler's time is spent performing troubleshooting, maintenance, testing and repair of electronic and low voltage electrical systems and sub-systems used in and around the SCCC facility. This includes sensors, logic relay and other controls used in facility security, alarm, closed circuit and cable television surveillance systems, fire/smoke detection and suppression systems.

Mr. Kepler has primary responsibility for maintaining and repairing the facility's HVAC DDC and Taut Wire perimeter fence security systems.

Mr. Kepler's duties and responsibilities are summarized from the PRR form as follows:

- 80% Maintain, monitor, and perform regular maintenance on all SCCC's SIMPLEX fire alarm systems facility-wide. [Perform] 24-hour maintenance and emergency services on all facility Touch Screen systems that monitor and control all facility perimeter access and egress gates, all security systems in SCCC's Intensive Management Unit and Administrative Segregation Unit.

Maintain, program, and monitor PLC systems throughout SCCC's facility which control all interior and exterior buildings and perimeter security systems.

Maintain two separate and primary electronic surveillance systems including the Digital Video Recording (DVR) system which provides continuous video recording from 120 video cameras located throughout SCCC, and the 256 security cameras with complex multiplexer monitoring systems.

IP based networked camera systems.

Maintains, monitors, and provides repairs to the internal facility Visual Media and cable TV systems serving all living units, offender program areas, and staff training areas.

Responsibility for [maintaining] the Motorola two-way radio communication system. This includes all hand-held portables, mobiles, repeater systems, UPS [Uninterrupted Power Supply], and audio recording systems.

Maintain, program, and monitor PCI systems throughout SCCC's facility which control all interior and exterior buildings and perimeter security lighting systems.

Monitor, maintain, and complete service repairs on the "Taut Wire" perimeter fence security system.

Maintain and monitor the Siemens HVAC control system including actuator damper motors, DDC controls and sensors.

- 15% Prepare preliminary cost estimates and projections for assigned task or projects. Order sufficient required materials to accomplish assigned tasks. Schedule work to be completed based upon its assigned tasks. Use current SCCC procedures to hire

and train offender workers as needed. Ensure that all safety and security procedures are followed. For example, all tool and key accountability policies and procedures are adhered to.

As stated in the PDF for his position (Exhibit B-2), Mr. Kepler performs a variety of shop and field testing, adjustment, troubleshooting and repair work to replace system components, integrated circuits, transistors and resistors of electronic systems, equipment and devices. He checks, adjusts, calibrates and repairs a variety of recording and indicating devices and HVAC air flow digital control equipment. He performs electronic repairs to system, board or component level, and calibrates and tests for proper operation.

During the review telephone conference, Mr. Kepler stated that his work is assigned through work orders, emergency call-ins, and direct assignments from his immediate supervisor, Mr. Karl Lofgren, Electronics Supervisor.

Mr. Kepler clarified during the review conference that Mr. Lofgren worked with him to complete the PRR and PDF submitted for review. Mr. Lofgren completed and signed the supervisor's section of the PRR. Mr. Lofgren indicated on the form that he agrees that the information contained in the PRR is accurate and complete. In his comments, Mr. Lofgren states that, "I have given the lead of the HVAC DDC and Taut Wire Fence Alarm systems to [Mr. Kepler]. He also stated that he is "... only involved to help with problems which need assistance." Mr. Lofgren also states that Mr. Kepler is authorized to resolve any problems and order replacement parts for any situations that arise, which includes HVAC DDC control issues and Taut Wire system troubles.

#### Summary of Mr. Kepler's Perspective

Mr. Kepler asserts the overall complexity of his work has and will continue to increase; thereby warranting reallocation to a higher level class. Mr. Kepler asserts he performs senior-level electronics technician work at SCCC, and that the overall level of responsibility and complexity of his work is consistent with the requirements of the Electronics Technician 4 class.

Mr. Kepler contends his position's duties are consistent with those performed by other Electronics technician positions at other facilities including the Monroe Corrections Center (MCC), and that those positions are allocated to the higher-level ET 4 class. Mr. Kepler asserts his position should be reallocated to the ET 4 class in order to be properly aligned with those positions and to provide equitable compensation across the agency.

#### Summary of DOC's Reasoning

DOC contends Mr. Kepler's position provides journey-level electronics technician work consistent with the Electronics Technician (ET) class. DOC contends Mr. Kepler's duties do not reach ET 4 level of responsibility. Ms. Cooley asserted during the review conference that ET 4 - level positions at DOC correctional facilities perform higher-level work and are generally stand alone positions with sole responsibility for maintaining and repairing a particular electronics system. Ms. Cooley asserted ET 4 level work is not generally interchangeable or able to be performed by other technicians within the facility. Ms. Cooley asserts the work Mr. Kepler performs at SCCC, including the HVAC and Taut Wire systems, is interchangeable and performed by other electronics technician staff when Mr. Kepler is absent or performing other duties within the facility. Therefore, DOC contends the majority of Mr. Kepler's time is spent performing journey-level work as an Electronics Technician, which involves performing standard installation, maintenance, testing and repairing activities for a variety of electrical and electronic

systems used in security and alarm surveillance at SCCC. DOC contends Mr. Kepler's position is properly allocated to the ET class.

### Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

### Comparison of Duties to the Electronics Technician 4 (ET4)

The Definition for this class states:

Serves as Lead or senior level technician and performs work in [the] layout, construction and installation of electronic and safety equipment. Troubleshoots, maintains, repairs and tests, analog, and/or digital electronic equipment. Delivers and installs equipment, calibrate test equipment. Assembles scientific instruments or electronic air monitoring systems. Implements and evaluates workflow priorities. Develops and disseminates instructions and information to unit personnel. [Emphasis added]

The Office of the State Human Resources Director (OSHRD) Glossary of Classification Terms defines Lead as:

An employee who performs the same or similar duties as other employees in his/her work group and has the designated responsibility to regularly assign, instruct, and check the work of those employees on an ongoing basis.

The OSHRD Glossary of Classification Terms defines Senior as:

The performance of work requiring the consistent application of advanced knowledge and requiring a skilled and experienced practitioner to function independently. Senior-level work includes devising methods and processes to resolve complex or difficult issues that have broad potential impact. These issues typically involve competing interests, multiple clients, conflicting rules or practices, a range of possible solutions, or other elements that contribute to complexity. The senior-level has full authority to plan, prioritize, and handle all duties within an assigned area of responsibility. Senior-level employees require little supervision and their work is not typically checked by others."

Mr. Kepler's position does not have lead responsibility and his duties do not fully reach the requirements of this class of performing a variety complex, senior-level tasks as required. The overall thrust of Mr. Kepler's position, and the majority of his duties as a whole, involves performing standard journey-level maintenance and repair tasks on electronic systems, components and equipment at the SCCC facility.

Mr. Kepler does not have full authority to independently plan, prioritize, and handle all duties within his assigned area of responsibility. From the information presented, the majority of his work involves completing standard and generally recurring work assignments which come from written work orders, emergency call-ins, and assignments from his supervisor. The overall

latitude to which he can independently plan and prioritize his work within his assigned area of responsibility is limited.

Mr. Kepler does not spend a majority of his time performing higher-level work at the level anticipated by this class such as fabricating, assembling and testing electronic circuitry in accordance with schematics and diagrams. The majority of his work does not require devising methods and processes to resolve complex or difficult issues. He does not develop or evaluate newly-developed equipment or other types of instrumentation.

Mr. Kepler stated during the review conference that Mr. Lofgren retains authority over special construction or remodeling construction projects which require electronics technician work. Mr. Kepler's responsibility for consulting with professional and technical personnel on design concepts, equipment requirement(s), and feasibility of fabrication and installation during new construction or remodeling projects is limited. Ms. Cooley stated during the review conference that in 2011, SCCC had two facility projects in process. These included moving the greenhouse and completing a new furniture factory. Mr. Kepler stated that his involvement included speaking with the contractor and monitoring the contractor's work regarding the HVAC and other electronics systems associated with the projects. Mr. Kepler stated his duties principally involved escorting the contractors within the facility and helping a contractor locate a missing fire detector. Although Mr. Kepler was involved, Mr. Lofgren retained responsibility for coordinating activities and directing those projects.

Mr. Kepler does not develop preventative maintenance procedures, schedules and forms or develop quality assurance procedures for proposal to management.

Mr. Kepler does assist and/or oversee vendor warranty repairs with regard to the HVAC and Taut Wire security systems. He does not prepare reports for management review.

Mr. Kepler does maintain and operate electronic test equipment. He keeps records of work performed and supplies used and he does perform standard preventive maintenance on electronic systems and electronic test equipment. He tests, diagnoses, adjusts and calibrates to appropriate standards.

However, while Mr. Kepler has a high degree of independence and latitude in completing his work, and a portion of his work reaches the requirements of this class, the majority of his duties and overall level of responsibility as a whole do not meet the ET 4 level. The ET 4 class does not address the primary focus of his position, which is to provide standard, journey-level technical support to a variety of electronic HVAC, safety and security systems across the SCCC facility.

For these reasons, his position should not be reallocated to the ET 4 class.

#### Comparison of Duties to the Electronics Technician (ET) class

The Definition for the Electronics Technician class states:

Installs, maintains, repairs and tests electrical and electronic systems used in security and alarm surveillance and instructs personnel in the proper operation and minor maintenance of this equipment.

Further, the following Personnel Appeals Board, decision provides guidance as to the type of work performed by positions allocated to the Electronics Technician by concluding the following:

The specification for the Electronics Technician classification states that incumbents perform skilled journey level work which includes installing, maintaining, repairing and testing electrical and electronic systems used in security and alarm surveillance and instructing personnel in the proper operation and minor maintenance of this equipment. The typical work for this class includes the installation and maintenance of internal security systems, including electronic surveillance systems, and conducting inspections and tests to ensure the security systems are functional. The typical work also includes recommending purchases of security devices, consulting with contractors, and instructing employees in the use and repair of security systems. This class specifically addresses the maintenance and repair of electrical and electronic systems used in security and alarm surveillance such as those used at Fircrest School. Hafzalla v. Dep't. of Social and Health Services, PAB No. ALLO-00-0025 (2001).

The OSHRD Glossary of Classification Terms defines Journey as, "Fully competent and qualified in all aspects of a body of work and given broad/general guidance. Individuals can complete work assignments to standard under general supervision. Also referred to as the working or fully-qualified level."

The OSHRD Glossary of Classification Terms defines General Supervision as:

- Employee performs recurring assignments without daily oversight by applying established guidelines, policies, procedures, and work methods.
- Employee prioritizes day-to-day work tasks. Supervisor provides guidance and must approve deviation from established guidelines, policies, procedures, and work methods.
- Decision-making is limited in context to the completion of work tasks. Completed work is consistent with established guidelines, policies, procedures and work methods. Supervisory guidance is provided in new or unusual situations.
- Work is periodically reviewed for compliance with guidelines, policies and procedures.

The primary focus of Mr. Kepler's position falls within the scope of the Definition of the Electronics Technician class. As a whole, his position performs a variety of standard journey-level work installing, maintaining, repairing and testing electrical and electronic systems used in security and alarm surveillance.

Mr. Kepler works under general supervision and completes a majority of generally recurring assignments without daily oversight of his supervisor. He applies established guidelines, policies, procedures, and work methods to complete his tasks. Mr. Kepler prioritizes his day-to-day work tasks and follows established guidelines, policies, and procedures to complete his work. Mr. Lofgren stated in the PDF that he provides assistance and guidance for unusual situations that occur.

Although the typical work examples do not form the basis for an allocation, they do lend support to the work envisioned within the classification.

The following examples of typical work align with the duties performed by Mr. Kepler in his position:

- Installs and maintains internal security systems to include electronic surveillance and instructs personnel in the proper operation and minor maintenance of this equipment.
- Conducts frequent inspections and tests to ensure that the security systems are functional and adequate;
- Recommends the selection, installation, and maintenance of security devices
- Instructs Electricians or Electrician Supervisors in the maintenance of security devices;
- Services and repairs communication radio equipment, makes frequency checks to ensure the stations are on frequency and within modulation limits;
- Tests and evaluates new electronic equipment and makes site inspections;
- Supervises purchases of all parts and materials, maintenance of adequate stocks of maintenance parts and supplies, and supervises inventory of equipment, parts, and supplies.

Mr. Kepler's duties are consistent with these statements. He performs skilled journey-level work installing, maintaining, repairing and testing electrical and electronic systems used in security and alarm surveillance. He installs and maintains internal security and surveillance systems and conducts inspections and runs tests to ensure security systems are functional. This includes all of SCCC's SIMPLEX fire alarm systems facility-wide. He performs 24-hour maintenance and emergency services on all facility Touch Screen systems.

Mr. Kepler maintains and monitors PLC systems throughout SCCC's facility, and the electronic surveillance systems including the Digital Video Recording (DVR) system and 256 security cameras. Mr. Kepler stated during the review conference that he maintains, monitors, and provides repairs to the component level for the cable TV systems serving all living units, offender program areas, and staff training areas.

Mr. Kepler provides back-up support to his co-worker with regard to the maintenance of the Motorola two-way radio communication systems and equipment. This includes all hand-held portables, mobiles, repeater systems, UPS [Uninterrupted Power Supply], and audio recording systems.

He also provides primary support to the Taut Wire perimeter fence security system and the Siemens HVAC control system including actuator damper motors, DDC controls and sensors. Mr. Kepler contacts the vendors for proprietary maintenance or repairs as needed.

Part of Mr. Kepler's argument has been the allocation of similar positions at other correctional facilities. However, the PRB, has previously determined that although a comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed by and the level of responsibility assigned to an incumbent, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is

not a determining factor in the appropriate allocation of a position. Byrnes v. Dept. of Corrections, PRB No. R-ALLO-06-005 (2006) citing Flahaut v. Dept's of Personnel and Labor and Industries, PAB No. ALLO 96-0009 (1996).

Additionally, most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

Finally, positions are to be allocated to the class which best describes the majority of the work assignment. Ramos v DOP, PAB Case No. A85-18 (1985).

During the review conference Ms. Colley stated that Mr. Kepler is a highly-valued employee and his work is greatly appreciated. However, a position's allocation is not a reflection of performance or an individual's ability to perform higher-level work. Rather, a position's allocation is based on the majority of work assigned to the position and how that work best aligns with the available job classifications. Based on the overall level, scope and diversity of the duties and responsibilities assigned to Mr. Kepler's position, his position is properly allocated to the ET classification.

### **Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board . . . . Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911.

You may file in person at 521 Capitol Way South, Olympia, Washington. Fax number (360) 586-4694. For questions, please call (360) 664-0388.

If no further action is taken, the Director's determination becomes final.

c: Mark Kepler, DOC  
Tina Cooley, DOC  
Serena Davis, Teamsters  
Lisa Skriletz, OSHRD

Enclosure: List of Exhibits



**MARK KEPLER v DOC (ALLO-11-114)**

List of Exhibits

A. Mark Kepler Exhibits

1. November 30, 2011 letter requesting Director's review, signed by Edith Rozmaryn and Mark Kepler
2. April 1, 2011 email from Mark Kepler to Michael Tupper requesting desk audit for Mr. Kepler and Ms. Rozmaryn
3. Letter from Mark Kepler submitting exhibits with descriptions and attached exhibits:
  4. July 13, 2011 email from Tina Cooley to Mr. Kepler and Ms. Rozmaryn regarding audit notes
  5. Desk audit information submitted by Mark Kepler for desk audit
  6. Memo from Mark Kepler to Karen Wilcox, et.al., regarding allocation review request
  7. Position Description for Electronic Technician at Monroe CC
  8. November 3, 2011 DOC allocation determination letter
9. March 5, 2012 email from Mark Kepler regarding training confirmation (Note: Out of review period)

B. DOC Exhibits

Cover email from Nicole Baker to Karen Wilcox dated January 9, 2012 with the attached exhibits:

1. Position Review Request form for Mark Kepler received by SCCC Human resources on April 27, 2011
2. Position Description Form (PDF) for Mark Kepler received by SCCC Human Resources on April 27, 2011
3. PDF for Mark Kepler's position dated March 18, 2008
4. SCCC Engineering department organizational chart dated March 29, 2010
5. DOC allocation determination letter from Tina Cooley to Mark Kepler dated November 3, 2011

C. Class Specifications

1. DOP Class Specification for Electronics Technician (592W)
2. DOP Class Specification for Electronics Technician 4 (592M)